

### REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on September 21, 2006. At the time the Examiner mailed the Office Action claims 1-5, 7-20 and 22-42, were pending and, of those, claims 33-42 were withdrawn. By way of the present response Applicants have: 1) amended claims 1, 7, 18, 22, 28, and 32; and 2) added claims 43-57; and 3) canceled claims 2-6, 19-21, 29-31, and 33-42, without prejudice. As such, claims 1, 7-18, 22-28, 32, and 43-57 are now pending. Applicants respectfully request reconsideration of the present application and allowance of all claims now presented.

The Examiner had indicated that claims 11, 26, and 31 would be all if incorporated into the independent claims, including all intervening limitations. New independent claims 45 and 54, and amended independent claim 28 reflect the allowed subject matter indicated. Claims 33-42 were cancelled, without prejudice, as being drawn to a non-elected invention. No new matter has been added and support for the new and amended claims can be found in Figure 6E, and paragraphs [0025] and [0030].

### Rejections under 35 U.S.C. § 102(b)

The Examiner rejected claims 28-30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,002,008 by Ushijima et al. (hereinafter "*Ushijima*"). In light of the amendment, which has incorporated the Examiner's indicated allowable subject matter, renders the rejections moot.

Applicant, accordingly, respectfully requests withdrawal of the rejections of claims 28-30 under 35 U.S.C. § 102(b) as being anticipated by *Ushijima*.

**Rejections under 35 U.S.C. § 103(a)**

The Examiner rejected claims 1-5, 7-10, 18-20 and 22-25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,938,847 by Akimoto et al. (hereinafter "*Akimoto*") in view of *Ushijima*. In light of the amendment, the Examiner's rejections have become moot. Nonetheless, the following remarks regarding the Examiner's rejections and the amended claims may be helpful to expedite prosecution.

Claims 1 and 18 have been amended to include the limitation wherein the recess helps guide the dispense head into position, when the dispense head is slightly misaligned in the second position, **without a tip of the at least one nozzle of the dispense head contacting the opening in the casing sized to fit the at least one nozzle of the dispense head.**

Neither Akimoto nor Ushijima disclose nor suggest a recess. The prior art of record fails to recognize the advantage of a recess in guiding the nozzle into position without contacting the sides of the opening. This feature would help reduce possible damage and scratches to the tip of the nozzle which could also generate particles detrimental to the lithography of the devices being manufactured.

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Applicant, accordingly, respectfully requests withdrawal of the rejections of claims 1-5, 7-10, 18-20 and 22-25 under 35 U.S.C. § 103(a) as being unpatentable over *Akimoto* in view *Ushijima*.

### CONCLUSION


Applicants respectfully submit that in view of the amendments and arguments set forth herein, the rejections herein have been overcome. Accordingly, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Mr. Neal Berezny or Mr. Michael A. Bernadicou at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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